IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9176 OF 2004

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.R.V.More for the petitioner.
Mr.R.G.Ketkar for respondent no.2.
Mr.N.P.Deshpande for respondent nos.3 and 4.

CORAM: V.G.PALSHIKAR &
D.B.BHOSALE, JJ.

DATED: 18TH AUGUST, 2005.

P.C.:

. Heard learned counsel for the parties.

2. By this petition certain declarations are claimed by the petitioner. However, a civil suit for the same reliefs has already been instituted and in which definite order of injunction is passed and injunction in favour of the petitioner is operated till the filing of this petition. Thereafter the protection was continued by this petition. In view of this factual position we see no reason to interfere any further. We direct the petitioner to pursue a civil suit and

seek extension of injunction for appropriate period with equal opportunity to the Corporation to contest the same under the provisions of law. It shall also be open for the petitioner to approach the authorities under Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. With these observations the petition is disposed of.

(D.B.Bhosale, J.) **(V.G.Palshikar, J.)**